

Abstract

Rights and Duties of Passengers in Public Transport

The topic of this thesis is the issue of passenger's rights and duties in public transport. Despite the fact that contract of carriage passengers belongs to one of the most commonly stipulated contract types, governed by the provisions of the *Act No. 89/2012 Coll., the Civil Code, as amended*, and also rights of passengers arising out of entering into this contract are - as one of the branches of the customer law - the subject of considerable European union legislation, the contract of carriage passengers and its related issues remains unaddressed in the legal doctrine.

The aim of the thesis is to analyse the rights and duties of passengers arising out of the contract of carriage in the most common types of public transport in The Czech republic, and also to categorize and include them into the legal context, because – as mentioned above – this undoubtedly live issue has not been completely discussed. With regard to complexity of the thesis are also mentioned rules of International and European law, focusing on directly applied secondary european legislation.

The thesis is composed of introduction, four chapters divided into subchapters of two different levels, and summary, whereas the principal focus of the thesis is from chapter two to four. Chapter one, which is subdivided into two parts, is concerned with definition and distinction between the essential terminology „carriage“ and „transport“ as well as the categorization of transport types. Chapter two consists of five subchapters that deal with the legislation regulating the most important types of public transport. The purpose of this chapter is to determine legal regulations together with other documents applicable to the particular legal relationship. Chapter three focuses on the actual contract of carriage passengers based on the provision § 2550 and following of the Civil Code, followed by other relevant legislation. It tackles the definition of this contract and the distinction between the selected contract types, as well as it also analyses essential elements, parties to a contract and its origin. The second half of thesis is represented by chapter four, which looks at the actual categorization and provides the analysis of the specific legal rights and duties of passengers (or carriers) as mentioned, based on the classification made in chapter two. The conclusion summarizes the gained knowledge and proposes further research of this topic.